

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BAVARIAN NORDIC A/S,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 05-614 SLR
	)	
ACAMBIS INC. and	)	
ACAMBIS, PLC,	)	
	)	
Defendants.	)	
	)	

---

**NOTICE OF SERVICE**

PLEASE TAKE NOTICE that true and correct copies of 1) Order of Master Whitaker of the High Court of Justice, Queens Bench Division dated July 12, 2006 *In the Matter of An Application Pursuant to Section I of the Evidence (Proceedings in Other Jurisdictions) Act 1975, Bavarian Nordic A/S, Applicant and Acambis, Inc., and Acambis PLC, Respondents*, regarding the deposition of Mr. Nicholas Andrew Higgins ("Order"), 2) First Witness Statement of Edward Alen Pennington referenced in the Order; 3) Letter dated July 13, 2006 from Bingham McCutchen to Mr. Higgins regarding his deposition, and 4) Letter dated July 14, 2006 from Bingham McCutchen to Mr. Rowan Planterose regarding Mr. Higgins' deposition, were caused to be served on July 21, 2006 upon the following in the manner indicated:

**BY E-MAIL AND HAND DELIVERY**

Mary B. Graham, Esquire  
MORRIS, NICHOLS, ARSHT & TUNNELL, LLP  
1201 N. Market Street  
P.O. Box 1347  
Wilmington, DE 19899

**BY E-MAIL AND FEDERAL  
EXPRESS**

William D. Coston, Esquire  
VENABLE, LLP  
575 7<sup>th</sup> Street, NW  
Washington, DC 20004-1601

Additionally, the undersigned hereby certifies that on July 21, 2006, this Notice of Service was electronically filed with the Clerk of the Court using CM/ECF and served upon the following counsel as indicated:

**BY CM/ECF & HAND DELIVERY**

Mary B. Graham, Esquire  
MORRIS, NICHOLS, ARSHT & TUNNELL, LLP  
1201 N. Market Street  
P.O. Box 1347  
Wilmington, DE 19899

**BY E-MAIL AND FEDERAL EXPRESS**

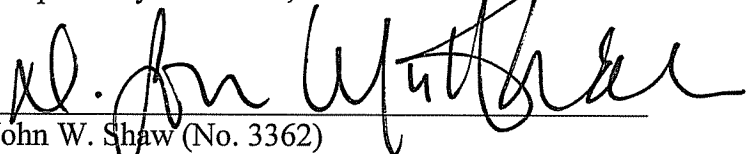
William D. Coston, Esquire  
VENABLE, LLP  
575 7<sup>th</sup> Street, NW  
Washington, DC 20004-1601

OF COUNSEL:

Edward A. Pennington  
Robert C. Bertin  
George Jones  
Stephanie D. Scruggs  
BINGHAM McCUTCHON LLP  
3000 K Street, Suite 300  
Washington, DC 20007  
(202) 424-7500

Dated: July 21, 2006

Respectfully submitted,

  
\_\_\_\_\_  
John W. Shaw (No. 3362)  
Karen L. Pascale (No. 2903)  
D. Fon Muttamara-Walker (No. 4646)  
YOUNG CONAWAY STARGATT & TAYLOR, LLP  
The Brandywine Building, 17th Floor  
1000 West Street  
Wilmington, Delaware 19801  
(302) 571-6600  
fmuttamara-walker@ycst.com

*Attorneys for Plaintiff Bavarian Nordic A/S*